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Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources division.
[FR Doc. 96-9120 Filed 4-11-96; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Modified Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Modified Consent Decree in *United States v. City of Hindman, Kentucky, and the Commonwealth of Kentucky*, Civil Action No. 89-39 was lodged on March 26, 1996, with the United States District Court for the Eastern District of Kentucky, Pikeville Division. This Modified Consent Decree replaces a Consent Decree previously entered in this matter on May 18, 1989. The 1989 Consent Decree resolved the United States' claims alleging violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, and its implementing regulations, and provided for a civil penalty and injunctive relief.

The Modified Consent Decree obligates the City to construct a wastewater treatment facility (the "facility") to insure consistent compliance by the City with its NPDES Permit. The City has also agreed to pay \$1,000.00 in stipulated penalties for violations of the 1989 Consent Decree.

The Modified Consent Decree sets forth a schedule to begin construction of the facility by July 1, 1996, complete construction of the facility by December 1, 1996, and achieve and maintain continuous compliance with all NPDES permit effluent limitations by March 1, 1997.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Modified Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. City of Hindman, Kentucky, et al.*, DOJ Ref. #90-5-1-1-2928A.

The proposed Modified Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Kentucky, 110 W. Vine St., Suite 400, Lexington, Kentucky 40507; Office of the U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, NE., Atlanta, Georgia

30365; and at the Consent Decree Library, 1120 G Street, NW., Washington, DC 20005, 202-624-0892.

A copy of the proposed Modified Consent Decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$6.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
[FR Doc. 96-9122 Filed 4-11-96; 8:45 am]

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Notice of Lodging of Consent Decree in Action to Enjoin Violations of the Clean Air Act

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a Consent Decree in *United States v. Louisiana-Pacific Corporation*, Civil Action No. C-96-1172 SAW, was lodged with the United States District Court for the Northern District of California on March 29, 1996.

The Consent Decree resolves claims brought by the United States pursuant to the Clean Air Act, 42 U.S.C. 7401 *et seq.*, against the Louisiana-Pacific Corporation. The complaint alleges that Louisiana-Pacific violated the Prevention of Significant Deterioration ("PSD") Regulations promulgated pursuant to Section 165(a) of the Clean Air Act, 42 U.S.C. 7475(a), and codified at 40 CFR 52.21(a)-(w), when it failed to obtain a PSD permit prior to construction of a new recovery boiler at its Samoa, California pulp mill. The complaint also alleges that Louisiana-Pacific violated the emissions limits set forth in its Authority to Construct permit, issued by the State of California for the new recovery boiler.

The Decree requires Louisiana-Pacific to pay a \$97,500 civil penalty for violations of the PSD regulations. The Decree also requires Louisiana-Pacific to comply prospectively with the PSD regulations and to submit quarterly self-monitoring data for a period of one year after Louisiana-Pacific receives an approved PSD permit.

The Department of Justice will receive for thirty (30) days from the date of publication of this notice written comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, Washington, DC 20530 and should refer

to *United States v. Louisiana-Pacific Corporation*, DOJ Ref. No. 90-5-2-1-1758.

The Consent Decree may be examined at the Office of the United States Attorney, Northern District of California, Federal Building, 450 Golden Gate Avenue, San Francisco, California; at the Region IX Office of the Environmental Protection Agency, 75 Hawthorne Street, San Francisco, California; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the referenced case and enclose a check in the amount of \$5.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Chief, Environmental Enforcement Section,
Environment and Natural Resources Division.
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Notice of Lodging of Amended Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed amended consent decree in *United States versus Ohio Power Company*, Civil Action No. 5:94-CV-100, was lodged on April 8, 1996, with the United States District Court for the Northern District of West Virginia. The proposed amended consent resolves this action brought under the Clean Air Act against Ohio Power Company, the owner and operator of an electrical generation facility, known as the Kammer Power Plant, located near Moundsville, West Virginia.

The proposed amended consent decree, which supersedes and replaces the partial consent decree entered in the same court on January 23, 1995, extends until November 1998 the final deadline for defendant's compliance with the sulfur dioxide ("SO₂") emission limitation of its West Virginia State Implementation Plan ("SIP"), in order to allow West Virginia time to submit to EPA a comprehensive, multiple-source SIP revision request. The decree also sets interim SO₂ limits; requires defendant to perform two supplemental environmental projects consisting of the installation of two low nitrogen oxide ("NO_x") burners in another facility owned by defendant; and provides for the payment of a cash penalty of \$200,000.